

{In Archive} Re: Permits and Certificates for Minor Facilities John Walsh

to:

Petriman.Viorica

09/15/2010 11:05 AM

Cc:

"Ed Choromanski", "George Fekete", "Mike Adhanom", "Robert Kettig"

Hide Details

From: "John Walsh" < John.Walsh@dep.state.nj.us>

To: <Petriman.Viorica@epamail.epa.gov>,

Cc: "Ed Choromanski" < Ed.Choromanski@dep.state.nj.us > , "George Fekete"

<George.Fekete@dep.state.nj.us>, "Mike Adhanom"

<Mike.Adhanom@dep.state.nj.us>, "Robert Kettig"

<Robert.Kettig@dep.state.nj.us>

History: This message has been replied to and forwarded.

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1 Attachment



Construction%20Site%20Air%20Permit%20Guidance.pdf

Hi Viorica,

I discussed this issue with Administrator Choromanski, and we agree that based on the information you provided in our telephone conversation, permits are not required.

The engines associated with anchoring a buoy to the sea bed 25 miles off shore in preparation for the pending construction of the sea based wind turbines, are construction engines and therefore not subject to Subchapter 8 in accordance with the attached memo.

Please let me know if you have any further questions.

Sincerely, John Walsh

>>> Robert Kettig 9/14/2010 3:22:21 PM >>> Viorica,

I am sending this to John Walsh as enforcement really has the authority to determine if a permit is required. That being said I think we may need some more information.

What limits the source to two days per year? Does it operate every year at that same site as some sort of routine schedule?

Do the engines that are used for electric generation meet the sub 19 definition for emergency use?

Bob

Robert Kettig Section Chief NJDEP Preconstruction Permits Section Bureau of Air Permitting

robert.kettig@dep.state.nj.us

609-292-0834

>>> < Petriman. Viorica@epamail.epa.gov > 9/14/2010 2:53 PM >>>

Dear all: Here is my question: A facility that consists of five diesel engines will be in operation only for 2 days per year at one location. After 2 days, the engines (and the facility) will be removed, and it will not be relocated to a different location . There are no other emitting sources at the facility. While the hourly emissions (lb/hr) of each engine are exceeding the applicable reporting thresholds in Table A or B of N.J.A.C <!--Notes ACF7:27<!--Notes ACF-8, the facility annual emissions of any criteria pollutant are less than 2 TPY. Whereas, some of the engines would be used for mechanical work, the other engines would be used to generate electricity. However, none of the engines should be regarded as construction engines, or non- road engines. In your opinion, would the above - described facility be required to obtain an air permit pursuant to N.J.A.C <!--Notes ACF7:27<!--Notes ACF-8 ? Any thoughts ? I would really appreciate your input in this matter. Thanks.

Viorica Petriman, Environmental Engineer US EPA Region 2 Air Programs Branch Air Permitting Section 290 Broadway, 25th Floor New York, NY 10007 Phone: 212-637-4021

Fax:212-637-3901



{In Archive} Re: Fwd: Permits and Certificates for Minor Facilities

Mike Adhanom to: Petriman. Viorica 09/14/2010 01:17 PM

Cc: "Robert Kettig"

History: This message has been replied to and forwarded.

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Hi Viorica,

I have been asked to help you by Bob. I will be in a meeting today from 1:30 to 3:00 PM if you are available I will call you around 3:00 PM.

Mike Adhanom Supervisor Bureau of Preconstruction Permitting 609-633-8242 (phone) 609-633-8236 (fax)

>>> <Petriman.Viorica@epamail.epa.gov> 9/14/2010 11:11 AM >>> Hi Bob: Could you please let me know if you are available today around 2:00 PM. I have some questions on N.J.A.C 7:27-8. Thank you,

Viorica Petriman, Environmental Engineer US EPA Region 2
Air Programs Branch
Air Permitting Section
290 Broadway, 25th Floor
New York, NY 10007
Phone: 212-637-4021

Phone: 212-637-4021 Fax: 212-637-3901



{In Archive} Permits and Certificates for Minor Facilities



09/14/2010 02:53 PM

Viorica Petriman to: Mike Adhanom Cc: "Robert Kettig"

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Dear all:

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In your opinion, would the above - described facility be required to obtain an air permit pursuant to N.J.A.C 7:27-8?

Any thoughts? I would really appreciate your input in this matter. Thanks.

Viorica Petriman, Environmental Engineer US EPA Region 2 Air Programs Branch Air Permitting Section 290 Broadway, 25th Floor New York, NY 10007 Phone: 212-637-4021

Fax:212-637-3901



{In Archive} Re: Permits and Certificates for Minor Facilities

Robert Kettig to: John Walsh, Mike Adhanom, Viorica Petriman

Cc: "George Fekete"

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Bob

Robert Kettig
Section Chief
NJDEP
Preconstruction Permits Section
Bureau of Air Permitting
robert.kettig@dep.state.nj.us
609-292-0834

>>> <Petriman.Viorica@epamail.epa.gov> 9/14/2010 2:53
PM >>>

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09/14/2010 03:23 PM



State of New Aersev

DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE Governor

Division of Air Quality Air Quality Permitting Element 401 E. State Street, 2nd floor, P.O. Box 27 Trenton, NJ 08625-0027

MARK MAURIELLO Acting Commissioner

MEMORANDUM

TO:

Air Quality Permitting Supervisors and Evaluators

Air Compliance and Enforcement Field Staff

THROUGH: Edward Choromanski, Administrator, Air Compliance and Enforcement

THROUGH: John Preczewski, P.E., Assistant Director, Air Quality Permitting Program

FROM:

Francis C. Steitz, Chief, Bureau of Air Permits

SUBJECT:

Air Quality Permit Applicability at Construction Sites

DATE:

January 6, 2010

This document provides guidance to Air Quality Staff in determining when Air Quality Permits, pursuant to N.J.A.C. 7:27-8 or N.J.A.C. 7:27-22, are required at a construction site as defined below. Section I outlines the types of equipment which require an Air Quality Permit. Section II identifies the types of equipment which do not require an Air Ouality Permit.

"Construction site" means an area or location on a piece of property where construction is temporarily occurring, and which has a finite completion date. Construction includes, but is not limited to the creation, assembly, repair, maintenance or demolition of buildings, transportation infrastructure (roads, bridges, tunnels, railroads, marine installations etc), landscape (parks, recreational locations, etc), or other structures. A construction site is not a location involved in a continuous (non-temporary) operation, or where a production process is involved. Property may include both a construction site area, and a production area.

Section I.

The following equipment, used at a construction site, must obtain an Air Quality Permit:

1. Heaters or boilers of any size combusting non-commercial fuels (including but not limited to used-oil).

- 2. Heaters or boilers combusting commercial fuels (including but not limited to natural gas, propane, diesel, biodiesel, or #2 distillate oil) with a burner size 1MMBTU/hr or greater.
- 3. Except as exempted in Section II below any processing equipment including but not limited:
 - a. Asphalt production plants, portable or stationary, of any size.
 - b. Cement batch plants, portable or stationary
 - c. Grinders, screeners, and crushers, which process materials including but not limited wood, concrete, rock, soil, construction demolition waste, etc.
 - d. The engines used to operate the processing equipment in c above, if that engine is sized 1MMBTU/hr or greater.
 - e. Materials-handling equipment used in the operation of a, b, c above including but not limited to belt conveyers, buckets elevators, pneumatic conveyors.
 - f. Material storage bins or containers, in excess of 2000 ft³ capacity, storing solid materials.
 - g. Liquid storage tanks, 2,000 gallons or greater, storing gasoline or other applicable VOC (this does not include diesel, biodiesel, or #2 distillate oil)

Section II.

The following equipment, used at a construction site, is <u>not</u> required to obtain an Air Quality Permit:

- 1. Cranes that have the capability of leaving the construction site (e.g., Mobile Construction Cranes), and the engine that powers that crane
- 2. Portable internal combustion engines, located at the construction site, burning commercial fuels that provide temporary <u>electrical</u> energy specifically and exclusively for construction operations (e.g. lighting, elevators, electric pumps).
- 3. Portable internal combustion engines, located at the construction site, burning commercial fuels that provide temporary mechanical energy specifically and exclusively for construction operations (e.g. pumps, compressors)
- 4. Portable welding equipment and its associate electrical generating engine used specifically and exclusively for construction operations and located at the construction site.
- 5. On-Highway construction vehicles such as dump trucks, front-end loaders etc., used on a construction site.
- C: William O'Sullivan, P.E., Director, Division of Air Quality



{In Archive} Engine Permitting Question

George Fekete to: Viorica Petriman Cc: "John Walsh", "Robert Kettig"

History: This message has been forwarded.

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1 attachment



Construction%20Site%20Air%20Permit%20Guidance.pdf

As discussed, NJDEP has established a policy regarding permitting of selected engines used at Construction sites. See attached. Also we understand from Enforcement that equipment on barges/vessels on navigable waters are not subject to air permits.

Finally our enforcement group is the final authority on permit applicability so i suggest you get a response directly from Enforcement on the question.

George Fekete Jr. Supv. Env. Engineer

Bureau of Preconstruction Permitting

Phone: 609.292.8848 Fax: 609.984.6369

09/14/2010 05:05 PM



{In Archive} NJ DEP MEMO - Construction Sites



Viorica Petriman to: John Walsh Cc: "Ed Choromanski", "Robert Kettig"

Archive:

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Hi John:

Thank you very much for getting back to me on the NJDEP Memo. Currently, we are examining how extensively we could apply the memo to the construction activities related to the Outer Continental Shelf (OCS) source projects.

Based on my interpretation, the determination of whether a permit is required does not depend on the equipment's emissions level, but it is rather a function of the types of equipment used at the construction site.

The first page of the memo states that the "...document provides guidance in determining when permits, pursuant to N.J.A.C 7:27-8 or N.J.A.C 7:27-22, are required at a construction site ..."

Should the guidance be interpreted that although the equipment' potential to emit exceeds the applicable major facility (Title V) threshold level (e.g., equal or greater than 25 TPY of NOx), no permit is required, as long as the equipment belongs to the types of equipment listed in Section II?

I would appreciate if you would get back to me before noon on Wednesday, September 29, 2010, because we have scheduled a conference call with our Headquarters to discuss these issues.

Thanks again,

Viorica

Viorica Petriman, Environmental Engineer US EPA Region 2 Air Programs Branch Air Permitting Section 290 Broadway, 25th Floor New York . NY 10007 Phone: 212-637-4021 Fax:212-637-3901

-----"John Walsh" <John.Walsh@dep.state.nj.us> wrote: -----

To: <Petriman.Viorica@epamail.epa.gov>

From: "John Walsh" < John.Walsh@dep.state.nj.us>

Date: 09/15/2010 10:24AM

Cc: "Ed Choromanski" <Ed.Choromanski@dep.state.nj.us>, "George Fekete"

<George.Fekete@dep.state.nj.us>, "Mike Adhanom" <Mike.Adhanom@dep.state.nj.us>, "Robert Kettig"

09/27/2010 06:01 PM

<Robert.Kettig@dep.state.nj.us>
Subject: Re: Permits and Certificates for Minor Facilities

Hi Viorica,

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The engines associated with anchoring a buoy to the sea bed 25 miles off shore in preparation for the pending construction of the sea based wind turbines, are construction engines and therefore not subject to Subchapter 8 in accordance with the attached memo.

Please let me know if you have any further questions.

Sincerely, John Walsh

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